

REMARKS/ARGUMENTS

The present Amendment amends claims 11, 22, 30, 34, and 35, cancels claim 33, and adds new claims 36-41. Upon entry of this Amendment, claims 11-14, 16, and 21-32 and 34-41 will be pending. Accordingly, with the cancellations and additional new claims, the application presents twenty-five (25) total claims, of which three (3) are in independent form (claims 11, 30 and 36). Applicants previously paid for twenty (20) claims, of which four (4) were in independent form. As such, Applicants expect additional claim fees of \$250.00 to be due for five (5) claims being added over the claims previously paid for. For the additional claim fees and any other fees which are deemed necessary following submittal of this Amendment, the undersigned hereby authorizes such fees to be charged to our deposit account, Deposit Account No. 061910.

In the Office Action, Examiner indicated that claim 33 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As such, claim 33 has been cancelled and rewritten as a part of amended claim 30. In turn, Applicants asserts that upon entry of this Amendment, claim 30 is hereby in condition for allowance. In addition, claims 34 and 35 have been amended to depend on newly amended claim 30 instead of now canceled claim 33. As such, the allowance of claim 30 as shown and described above thereby renders claims 31-32 and 34-35 also allowable.

In the Office Action, Examiner rejects claims 11-12, 14, 16, 21-32 as being unpatentable over Hirose (U.S. Patent No. 4,563,038). Examiner contends that Hirose shows an elongated straddle type seat (10, 32) supporting a first portion of a track assembly (48) while a body (34) including a backrest (40) supports a second portion of a track assembly (58), whereby the backrest covers the track assembly in all positions of the body. Examiner states that Hirose

teaches the seat being mounted on a vehicle (the undercarriage of the motorcycle), and the first portion comprising a platform (the bottom of track portion 48) and, retaining brackets (the upstanding flanges of track portion (48)) wherein track guides (58) are disposed in a space therein (see Fig. 5). Examiner concludes that the seat assembly of Hirose may inherently be used on a snowmobile.

Applicants believe neither Hirose nor any of the other references cited disclose a straddle type seat comprising a recess that *contains* a first portion of a sliding glide track assembly. On August 4, 2005, Applicants' attorney had a telephone interview with the Examiner in which this aspect of the invention was discussed. During the interview, Applicant's attorney noted that this limitation was present in dependent claim 22, and as such, if such limitation were inserted in claim 11, it would appear to make claim 11 allowable in light of the cited art. Examiner agreed with Applicant's attorney. As such, Applicants have cancelled the portion of claim 22 referencing this limitation and amended claim 11 to include such limitation. Applicants further believe that neither Hirose nor any of the other references cited disclose a straddle type seat comprising a recess that *at least partially contains* a first portion of a sliding glide track assembly. As such, Applicants have further amended the described limitation added to claim 11 so as to read "the seat comprising a recess that at least partially contains the first portion of the sliding glide track assembly". In turn, Applicant asserts that upon entry of this Amendment, claim 11 is hereby in condition for allowance. As such, the allowance of claim 11 as described and shown above thereby renders claims 12-14 and 21-29 also allowable.

As mentioned above, Applicants have added new claims 36-41. Claim 30, before being amended as shown and described above, contained similar elements to claim 11, but for a limitation regarding "the backrest of the body covering the sliding guide track assembly in at

least one position of the body on the seat”. Instead of this limitation, claim 30 contained the limitation “the locking mechanism adapted to enable temporary release of the sliding guide track assembly so as to enable adjustment of the backrest body with respect to the seat”. Per the telephone interview held with Examiner noted above, Applicants assert that amendment of claim 30 with the same limitation as now added in amended claim 11 also makes claim 30, before being amended as shown and described above, patentable over the teachings of Hirose. As such, previous claim 30 has been rewritten as claim 36 to include the newly added limitation of amended claim 11, with “the seat comprising a recess that at least partially contains a first portion of the sliding glide track assembly”. Therefore, Applicant asserts that claim 36 is in condition for allowance. As such, the allowance of claim 36 as shown and described above thereby renders claims 37-41 also allowable.

Favorable consideration and prompt allowance of the application are respectfully requested. Applicants believe that no new matter will be introduced by entry of these amendments and that the amendments are fully supported by the specification and application as a whole. Applicants have amended the claims solely to advance prosecution of this application and to obtain the allowance of claims at the earliest possible date. No admission should be inferred by these amendments. Applicants reserve the right to prosecute the originally filed claims in a continuation application.

In light of the above, Applicants submit that the present rejections should be withdrawn and prompt allowance of this application is respectfully requested. If the Examiner feels that prosecution of the present application can be materially advanced by a telephonic interview, the undersigned would welcome a call at the number listed below.

Respectfully submitted,

Dated: _____

9/1/05



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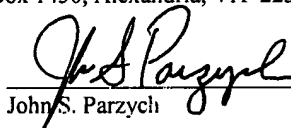
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John S. Parzych